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IN THE UNITED STATES PATENT OFFICE

Application No.: 10/707,634
Applicant: Carles Borrego Bel
Filed: 12/26/2003
TC/Art Unit:
Examiner:

Docket No.: 8134ES
Customer No.: 23688
Confirmation No.: 1633

October 4, 2004

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

REQUEST FOR RECONSIDERATION OF PETITION UNDER 37 CFR 1.47(a)

Sir:

This is in response to the Dismissal of Applicants' Petition to the Notice of Incomplete Reply (nonprovisional) dated 08/05/2004. This petition is timely filed if filed on or before 10/05/2004.

No fee is believed required.

However, if any fees are due kindly charge them to Lear Corporation Deposit Account No. 50-2438.

Kindly consider this petition and the supporting documents submitted herewith as sufficient and in full compliance with the requirements 35 U.S.C. 118 and 37 CFR 1.47.

Remarks/Arguments begin on page 2 of this paper.

An **Appendix** including correspondence between the US and Spanish patent counsel and between the Spanish patent counsel and the inventor refusing to sign is attached following page 3 of this paper.

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Amdt. Dated: 10/4/2004
Reply to Office action of: 08/05/2004

REMARKS/ARGUMENTS

This application was filed on 12/26/2003 for all three inventors by the signing of a declaration by two of the three inventors whose location was known to the assignee at that time. The location of the third inventor was unknown at that time but diligent efforts were being taken to ascertain his whereabouts and procure his signature on a declaration.

On April 22, 2004 this attorney of record inquired of the assignee's Spanish patent counsel regarding the delivery of a declaration signed by Sr. Alex Subirates Sole the missing inventor. The Spanish patent counsel replied that the address of the missing inventor Sr. Alex Subirates Sole, a citizen of Spain residing in Spain had been found by the assignee's (Lear Corporation) employees. Assignee's Spanish patent counsel couriered a second letter requesting Sr. Subirates Sole to execute a declaration for filing the case in the US Patent Office, including a copy of the application as filed in the United States on 12/26/2003, to Sr. Subirates Sole (a copy of the cover letter submitted herewith as Exhibit A) at the discovered address on August 18, 2004.

On October 4, 2004 this attorney of record was informed by assignee's Spanish patent counsel by email dated October 04, 2004 that the letter, formal papers, and copy of the application as filed in the U.S., to Sr. Subirates Sole had been sent on August 18, 2004 and was delivered to Sr. Subirates on August 23, 2004 (a copy of the Spanish patent counsel's statement is submitted herewith as Exhibit B) (a copy of the front and back of the delivery confirmation receipt submitted herewith as Exhibit C) but that Sr. Subirates Sole had refused to respond.

Sr. Subirates Sole continues to refuse to respond to the letter requesting him to sign a declaration for filing in the US Patent Office for this case. He has also refused to contact the assignee Lear Corporation or the Spanish patent counsel up to and including the present day.

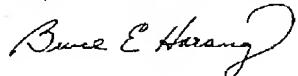
Applicants have undertaken diligent efforts to contact and have Sr. Subirates Sole sign a declaration for filing in the US Patent Office. However, Sr. Subirates Sole refuses to execute such document.

Sr. Subirats Sole's last known, and apparently present, address is C/ Rosello 14, 43500 Tortosa, Tarragona, Spain as can be seen from Exhibits A & D.

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In view of the remarks herein, and exhibits presented herewith, it is submitted that this application is now complete and is in condition for examination and allowance, and such action is respectfully solicited.

Respectfully submitted,



Bruce E. Harang
Registration No. 29,720
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Attachments: Exhibits A – C, copy of Notice of Decision Refusing Status under 37 CFR 1.47(a) dated 08/05/2004.